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FOLEY & LARDNER LLP  
ATTORNEYS AT LAW11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CALIFORNIA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

## FACSIMILE TRANSMISSION

Total # of Pages: 14 (including this page)

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Examiner J. Woitach – Art Unit 1632 U.S. Patent and Trademark Office	(571) 272-0739	(703) 872-9306

From :	Stephen E. Reiter	SR
Email Address :	sreiter@foley.com	
Sender's Direct Dial :	858.847.6711	
Date :	July 22, 2004	
Client/Matter No :	088802-5211	
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## MESSAGE:

## OFFICIAL

U.S. Patent Application No. 09/840,008

Following are:

Amendment Transmittal (3 pgs.);  
Response (10 pgs.).If there are any problems with this transmission or if you have not  
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Atty. Dkt. No. SALK2270-4 (088802-5211)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans et al.

Title: XENOBIOTIC COMPOUND  
MODULATED EXPRESSION  
SYSTEMS  
AND USES THEREFOR

Appl. No.: 09/840,008

Filing Date: 4/20/2001

Examiner: J. Woitach

Art Unit: 1632

<p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Stephen E. Reiter</u> (Printed Name)</p> <p><u>[Signature]</u> (Signature)</p> <p><u>July 22, 2004</u> (Date of Deposit)</p>
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**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	26	-	26	=	0	x	\$18.00	=	\$0.00
Independent Claims:	6	-	6	=	0	x	\$86.00	=	\$0.00

Atty. Dkt. No. SALK2270-4 (088802-5211)

First presentation of any Multiple Dependent Claims:	+	\$290.00	=	\$0.00
0		CLAIMS FEE TOTAL	=	\$0.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	0	\$0.00
EXTENSION FEE TOTAL:			\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	0	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$0.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
TOTAL FEE:			\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$\_\_\_\_\_. A duplicate copy of this transmittal is enclosed.

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

Atty. Dkt. No. SALK2270-4 (088802-5211)

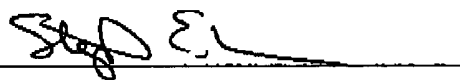
extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address  
indicated below.

Respectfully submitted,

Date: July 22, 2004

By



FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

PATENT  
Attorney Docket No.: SALK2270-4  
(088802-5211)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Evans et al.

Application No.: 09/840,008

Confirmation No.: 3075

Filing Date: April 20, 2001

For: XENOBIOTIC COMPOUND  
MODULATED EXPRESSION SYSTEMS  
AND USES THEREFOR

Group Art Unit: 1632

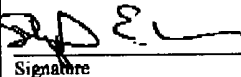
Examiner: J. Woitach

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Stephen E. Reiter

Printed Name



Signature

July 22, 2004

Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Sir:

Further responsive to the Office Action mailed October 20, 2003 (Paper No. 21), in light of the Office Communication mailed on June 25, 2004, please consider the following remarks.

The Listing of Claims begins on page 2 of this paper.

Remarks begin on page 9 of this paper.